

Message Text

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TO AMEMBASSY LAGOS

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E.O. 11652: N/A

TAGS: BDIS, NI

SUBJECT: TRADE DISPUTE: TAN INTERNATIONAL LTD. VS.

--- KUSINI CO.

REF: LAGOS 2401

1. DEPARTMENT OFFICER HAS TELEPHONED MRS. BENBO, HER ATTORNEY MR. FRANKFURT, MR. ANDREWS, AND MR. KRUSCH IN ATTEMPT TO RESOLVE SUBJECT TRADE DISPUTE. MR.DAVIS IS ON A TRIP AND WAS NOT AVAILABLE FOR DISCUSSION.

2. THE PRINCIPAL POINT AT ISSUE IS WHETHER THE DOLS. 162,000 CLAIM SUBMITTED BY TAN INTERNATIONAL REPRESENTS VALID CLAIMS WHICH ARE RESPONSIBILITY OF KUSINI COMPANY. TAN INTERNATIONAL ATTORNEY ASHLEY ANDREWS CONTENTS THAT THE CLAIM WAS PREPARED BY BEST ACCOUNTING FIRM IN NIGERIA, AYANFALU EALOGUN AND COMPANY. KUSINI ATTORNEY JOSEPH KRUSCH CONTENTS THAT TAN INTERNATIONAL NEVER FOLLOWED THE PROCEDURES ESTABLISHED FOR SUBMITTING CLAIMS AND KUSINI CANNOT ACCEPT ALL OF THE DOCUMENTS SUBMITTED IN SUPPORT OF THE CLAIM.

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3. DEPARTMENT HAS PERSUADED BOTH KRUSCH AND ANDREWS TO

AGREE TO HIRING A U.S. ACCOUNTING FIRM WITH EXPERIENCE IN

AFRICA (PROBABLY PEAT MARWICK AND MITCHELL OR PRICE
WATERHOUSE) TO REVIEW DOCUMENTATION AND DETERMINE VALIDITY
OF CLAIM. KRUSCH WILL CLEAR THIS PLAN WITH OSSIE DAVIS
WHEN HE RETURNS IN A FEW DAYS. IF DAVIS APPROVES,
KUSINI WILL SELECT AN ACCOUNTING FIRM ALSO AGREEABLE TO
ANDREWS, APPARENTLY KUSINI FIRM WILL PAY COST.

4. WE WILL KEEP EMBASSY INFORMED OF DEVELOPMENTS.
INGERSOLL

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